

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY  D.C.

05 JUN 27 PM 4:01

ROBERT R. DI IORIO  
CLERK, U.S. DIST. CT.  
W.D. OF TN, MEMPHIS

CARREKER CORPORATION,

Plaintiff,

v.

No. 2:05cv2209-D/V

RONALD SCHULTZ, ET AL.,

Defendants.

SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held June 30, 2005. Present were Jef Feibelman, counsel for plaintiff, and W. Michael Richards, counsel for defendants. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed. R. Civ. P.(1)(1): July 14, 2005

JOINING PARTIES: August 30, 2005

AMENDING PLEADINGS: August 30, 2005

INITIAL MOTIONS TO DISMISS: September 30, 2005

COMPLETING ALL DISCOVERY: February 28, 2005

- (a) DOCUMENT PRODUCTION: February 28, 2005
- (b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS: February 28, 2006
- (c) EXPERT WITNESS DISCLOSURE (Rule 26):
  - (1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION: December 27, 2006
  - (2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION: January 27, 2006

(3) EXPERT WITNESS DEPOSITIONS: February 28, 2006

FILING DISPOSITIVE MOTIONS: March 28, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury and the trial is expected to last 3 days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

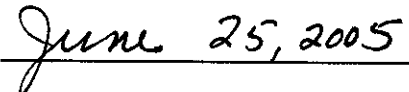
The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause show, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

  
\_\_\_\_\_  
DIANE K. VESCOVO  
UNITED STATES MAGISTRATE JUDGE

Dated: \_\_\_\_\_  
June 25, 2005



## Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 2:05-CV-02209 was distributed by fax, mail, or direct printing on June 28, 2005 to the parties listed.

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Douglas F. Halijan  
BURCH PORTER & JOHNSON  
130 N. Court Avenue  
Memphis, TN 38103

Jef Feibelman  
BURCH PORTER & JOHNSON  
130 N. Court Avenue  
Memphis, TN 38103

W. Michael Richards  
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ  
165 Madison Ave.  
Ste. 2000  
Memphis, TN 38103

Honorable Bernice Donald  
US DISTRICT COURT